

*D RCE*  
PATZIK, FRANK & SAMOTNY LTD.  
ATTORNEYS AT LAW

SCOTT W. SMILIE  
Tel. (312) 551.3066  
ssmilie@pfs-law.com

Refer To: 218728/00059

November 20, 2006

**VIA FIRST CLASS MAIL**

Mail Stop: RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

***Re: U.S. Patent Application No. 09/446,144***  
***For: NEUTRON-DRIVEN ELEMENT TRANSMUTER***

Dear Sir/Madam:

Enclosed for filing please find a Response to the Office Action dated August 13, 2004 and the Decision on Appeal from the Board of Patent Appeals and Interferences mailed September 20, 2006. The enclosed Response comprises the following:

1. Amendment Response to the Office Action dated August 13, 2004 and the Decision on Appeal from the Board of Patent Appeals and Interferences mailed September 20, 2006 (14 pgs.);
2. Request for Continued Examination (RCE) Transmittal (1 page, *in duplicate*);
3. Certificate of Mailing via First Class Mail (1 page);
4. Check in the amount of \$790.00 for filing of RCE Transmittal; and
5. Return Receipt Postcard.

If any charges or fees are due in connection with the filing of the above Response, they may be paid out of our deposit account No. 50-1325. A duplicate copy of this transmittal letter is enclosed.

Very truly yours,  
**PATZIK, FRANK & SAMOTNY LTD.**

Scott W. Smilie  
SWS.amh  
Enclosure

150 South Wacker Drive - Suite 1500  
Chicago, Illinois 60606  
Tel. (312) 551.8300 Fax. (312) 551.1101

[www.pfs-law.com](http://www.pfs-law.com)



IN THE  
**UNITED STATES**  
**PATENT AND TRADEMARK OFFICE**

**IN RE PATENT  
APPLICATION OF:**

Carlo RUBBIA

**ATTORNEY DOCKET NO.:**

218728-00059

**SER. NO.:**

09/446,144

**FILING DATE:**

March 2, 2000

**FOR:**

NEUTRON-DRIVEN  
ELEMENT TRANSMUTER

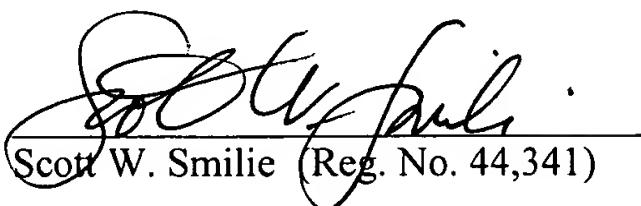
Amendment Response to  
the Office Action Date  
August 13, 2004 and the  
Decision on Appeal From  
The Board Of Patent  
Appeals and Interferences  
Mailed September 20,  
2006 (14 Pages); Request  
For Continued  
Examination (“RCE”)  
Transmittal (1 Page, *in  
duplicate*); Certificate Of  
Mailing Via First Class  
Mail (1 Page); Check In  
the Amount of \$790.00  
for Filing of RCE  
Transmittal; and Return  
Receipt Postcard.

**CERTIFICATE OF MAILING VIA FIRST CLASS MAIL**

Date of Deposit: November 20, 2006

I hereby certify that this correspondence is being deposited  
with the United States Postal Service, “First Class Mail”  
service in an envelope addressed to: Mail Stop: RCE,  
Commissioner for Patents, P. O. Box 1450, Alexandria, VA  
22313-1450 on November 20, 2006.

Dated: November 20, 2006



\_\_\_\_\_  
Scott W. Smilie (Reg. No. 44,341)

Customer No. 051500  
**PATZIK, FRANK & SAMOTNY LTD.**  
150 South Wacker Drive  
Suite 1500  
Chicago, Illinois 60606  
Telephone (312) 551-8300  
Facsimile (312) 551-1101

<u>Attorney</u>	<u>Reg. No.</u>
Max Shaftal	31,422
Michael L. Kenaga	34,639
Scott Smilie	44, 341
Jordan Herzog	38,182